



Idaho's Citizen Commission for Reapportionment

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Rexburg Public Hearing
Tuesday, June 14, 2011
Madison Middle School
7:00 p.m.

Chairman Andersen called the meeting to order, introduced himself, and thanked the Madison Middle School for allowing the commissioners to use their facility. He then requested that the commissioners introduce themselves as follows; **Commissioner Lou Esposito** from Boise, **Commissioner Lorna Finman** from northern Idaho, **Commissioner Evan Frasure** from Pocatello, **Commissioner Julie Kane** from Lapwai, and **Commissioner George Moses** from Boise. Also present from the staff were **Keith Bybee** and **Cyd Gaudet**.

Commissioner Kane then went over the requirements that the commission must follow from case law, statutes and the constitution. She explained that after the census states must reapportion to insure the one person, one vote principle. She stated that the commission can make 30 to 35 districts and that these districts must be equal within a 10% deviation. They must consider traditional neighborhoods and communities of interest, and they must avoid oddly shaped districts. Further they must avoid dividing counties whenever possible, and if counties are divided they must be adjoined to the adjacent county and a highway must connect the counties. Also the commissioners must try to protect voting precinct lines and the commission can not consider protecting incumbents or their respective parties. She also explained that the rural districts in Idaho must expand due to the population shifts over the last 10 years.

Chairman Andersen then explained that the commission has 90 days to complete their task and requested that the citizens share their input so it can be incorporated into the final map. He then explained how everyone can actually draw and submit maps on the website using Mapitude.

First called to testify was former **Senator Mark Ricks**, who welcomed the commissioners and wished them well. He provided an anecdote about playing a role as chairman of an NCSL committee on redistricting that gave him some airtime on CNN. He went through some of his experience in redistricting starting in 1980 and explained that this is a hard job and that the commissioners will not be able to please everyone. He also stated that 30% of people in the nation move every ten years and as a consequence, legislative districts need to change. In response to a question from **Senator Ricks**, **Chairman Andersen** explained that the commission will file their final map with the Secretary of State. **Senator Ricks** explained that although his committee was supposed to be unbiased, he thought it was hard to find anyone in Idaho that didn't have an opinion when it came to politics. He finished with a story about a plan that his committee had put together and took it to the Governor (who happened to be a Democrat) and the Governor told Senator Ricks that it would be vetoed if the minority caucus of the House or Senate had any objection to the plan. **Commissioner Frasure** helped **Senator Ricks** on that plan. **Senator Ricks** went on to explain it was best to not know where the incumbent lived when drawing the plan.

Next to speak was **Mr. Rich Woodland**, Mayor of the City of Rexburg. **Mr. Woodland** explained that the city has some concerns regarding the census. He stated that their population is a very fluid situation because of the university students and that they believe their

numbers came in 5,000 people short. He explained that they are challenging the census. He feels that this challenge will be done within the time frame which the commission has to finalize its map and asked that the commission consider the outcome.

Commissioner Moses thanked everyone for coming to the hearing and asked that they go onto the website and try to draw a map of at least seven districts, to get a feel for how their government is put together.

In answer to a question from **Commissioner Finman, Mr. Woodland** explained that the university was out on a break when the census was taken. **Commissioner Frasure** asked how many students went to school at BYU-I, it was also stated that the university is in session year round, they have 13,500 full time students every semester, and that Rexburg is their legal address. He also advised that they are projecting that the student enrollment will rise to 17,500 in the next few years and that these students are encouraged to register to vote in Rexburg. **Commissioner Moses** in response stated there are two data sets that were being discussed one is the census data or where the person actually resides, or sleeps at night, and the other is registered voters. He advised the group that the commission must use the census data.

As there were no others signed in to speak, **Chairman Andersen** opened the floor to anyone else who wished to address the commission.

Mr. Joseph West, from Madison County, explained that he had gone onto the website and was unable to open the maps. **Commissioner Moses** then explained how to get to the website and the mapping software. He further explained the different layers, such as counties, precincts, and census blocks that the system uses as the building blocks. **Commissioner Esposito** then pointed out that the commission is just looking at the population, in a precinct there is a second set of data which is the number of registered voters, and this commission is only concerned with total population. **Mr. West** further expressed concern that their county was strangely split last time and he suggested to the commission that split not happen in such a way this time. **Commissioner Frasure** went over the population numbers of Freemont County at 13,242 and Madison County at 37,836 and explained that combined they are over the target of 44,788 in one district. He also explained the 30 to 35 district range and how many people would have to be in each district. He also briefly explained that five counties in the state grew in population, and that the rural areas generally lost population. In answer to a question from **Mr. West, Commissioner Moses** explained that Idaho's constitution states there can be between 30 and 35 districts, and talked about the size of the legislative districts in some other states. **Senator Ricks** then asked what the population of the State of Idaho was in the latest census. He was advised that it was just about 1.56 million.

Next to speak was **Ms. Donna Benfield**, Executive Director of the Rexburg Chamber of Commerce. She had just heard about the 5,000 people missing in their census numbers and wanted to come and encourage the commission to wait for the outcome of the challenge.

Commissioner Moses then explained the 90 days that the commission has to submit a final plan. **Commissioner Frasure** also explained that the census figures are the only legal numbers that the commission can use, and that they will have to proceed with the information they have. He further explained the 10% deviation allowed, and discussed what happened 10 years ago when the commission went over the 10% deviation. **Frasure** further explained that the Commission chose to come to Rexburg to help establish findings of fact to defend the plan in the Supreme Court. He also explained that the Supreme Court of Idaho is the court of original jurisdiction for any redistricting. He stated that if the Commission is under 10% deviation, then the plan should be on solid footing according to past rulings of the Court. He and **Chairman Andersen** also explained that they had decided to come to Rexburg for a public hearing because they understood that this was one of the fastest growing areas in the state and they did not understand why the numbers came in low. **Commissioner Frasure** then asked **Mr. West** what he thought about keeping Freemont County whole and joining them with a couple of precincts from Madison County. **Mr. West** indicated that he had not thought that far but felt the preference was to keep Madison County whole.

Senator Ricks then asked if there are any problems with minority groups in Idaho. **Commissioner Moses** explained that the Voting Rights Act applies to all states however section 5 applies mainly to some of the southern states, and not Idaho. He explained that largest minority group in Idaho is the Hispanic population which is about 10%, and that it would be hard to draw a majority-minority and more to the point, it would be hard to draw a minority influence district with the Hispanic population as it is not big enough or concentrated enough.

Commissioner Frasure then asked for any comments regarding tying Madison County to Teton County. He pointed out that if the commission would combine Madison and Teton counties they would be just above the target, and if they combined Madison with Freemont County they are well over the target. He pointed out that Freemont County has to be connected to Madison or Teton County because there are no roads connecting them to Clark County. With that he said it is fairly simple, the decision is whether to connect Madison County to Teton or Freemont County.

Next to speak was **Mr. Hyrum Erickson**, a resident of Madison County. He stated that in South East Idaho they have a concern that the districts are larger in population than in the north. He suggested that the commission start drawing their map on the edges, and the rural areas and move inward. He states that it is a general sense as a whole that Eastern Idaho was not treated well 10 years ago and suggested that the commission has room to correct this sense of unfairness. **Commissioner Frasure** indicated that there is a good balance of commissioners from different parts of the state and that they will do what they can this time to make sure that Eastern Idaho has fair representation. **Commissioner Moses** then indicated that people in rural areas seem to feel that it is easier to move a block in Boise, as

a county somewhere else, however he indicated that it does matter to those people in Boise, and reminded the audience that the commission's concern is the one person, one vote principle.

Commissioner Esposito then indicated that being from District 14, the largest current district in the state that he is here to seek input and appreciates their thoughts. He stated that the commission will follow the guidelines and that all six commissioners are dedicated to doing the best they can to make sure that people from the whole state are well represented. He urged the audience to draw maps as well as submit written comments and suggestions that the commission can use so that when the Supreme Court looks at their map they can say it's a good job. **Commissioner Moses** then pointed out that 85% of the plans submitted nationwide end up in court.

Ms. Ann Huckaba from Jefferson County then asked where to get the census data. **Commissioner Moses** explained that she could either go to the government census site or to the commission's website which contains this information.

Ms. Donna Benfield then asked when the deadline was for submitting testimony and plans. **Chairman Andersen** advised there is no real deadline however explained that they will start working on the plan as soon as the hearings are concluded around the end of June. **Commissioner Moses** then pointed out that sooner is better than later. He also explained that the maps will be on the website and the public is welcome to make comments on them.

In response to a question from **Mr. West** about an I-Pod application for redistricting, **Chairman Andersen** answered no, but did discuss one state that held a contest for college students to input plans. One of their maps was actually submitted to the legislature for consideration and one student actually solved a voting rights problem that no one else had solved.

Commissioner Frasure then advised the audience that the commission also has the responsibility of drawing the congressional districts. He explained that Idaho came in just short of 3 seats. He suggested that the audience practice on Maptitude by drawing a congressional map. He explained that congressional districts must be much closer in actual numbers than legislative districts, and was surprised that no one challenged the previous Congressional plan because the deviation was 3,600. He explained that several plans have already been submitted from Ada County and requested input from this area of the state, because those plans from Ada County put the citizens from these districts in a Congressional district with Coeur d'Alene. In response to a question from **Mr. West** about drawing maps, **Commissioner Frasure** explained that it takes about 3 hours to become comfortable with the system.

Chairman Andersen then called on **Representative Raybould** who encouraged the commission to be careful with rural districts. He explained that Madison and Freemont Counties have been good together. **Commissioner Frasure** then indicated that from Rexburg you can probably get up as far as St. Anthony but from Ashton north would probably have to go with Teton County. **Representative Raybould** indicated that he thought that was how things may go. He said that Ashton is similar to Madison County, however if you tie Madison to Teton County there is a problem with where to go with Freemont County as there are no roads. He said that the Senator and the two Representatives from this district have had a good relationship with the people that they have.

Commissioner Moses then stated that the deviation permitted for Congressional Districts is 1% or less, and that District 2 will have to gain population. He also explained that western states tend to have smaller legislatures than those in the east.

Ms. Huckaba then asked the commission if it was all right to put an article in the paper regarding the website and encouraging people to participate. The commission answered affirmatively and **Commissioner Moses** pointed out that the local newspaper could actually publish copies of the maps.

Chairman Andersen then explained that the Commission would be meeting the following day in Idaho Falls and Pocatello, and then on Thursday in Soda Springs. He then thanked the group for their participation and adjourned the meeting at 8:10pm.